

Fill in this information to identify the case:

Debtor 1 Patrick Melvin Souter

Debtor 2 Hope Sharon Souter  
(Spouse, if filing)

United States Bankruptcy Court for the: Eastern District of Wisconsin

Case number 19-30573-kmp

## Official Form 410S1

# Notice of Mortgage Payment Change

12/15

If the debtor's plan provides for payment of postpetition contractual installments on your claim secured by a security interest in the debtor's principal residence, you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

Name of creditor: U.S. Bank Trust National Association, as  
Trustee of the Lodge Series III Trust

Court claim no. (if known): n/a

Last 4 digits of any number you use to  
identify the debtor's account: 1 4 7 3

Date of payment change:  
Must be at least 21 days after date 04/01/2022  
of this notice

New total payment: \$ 2,697.47  
Principal, interest, and escrow, if any

### Part 1: Escrow Account Payment Adjustment

#### 1. Will there be a change in the debtor's escrow account payment?

No

Yes. Attach a copy of the escrow account statement prepared in a form consistent with applicable nonbankruptcy law. Describe the basis for the change. If a statement is not attached, explain why: \_\_\_\_\_

Current escrow payment: \$ 848.75

New escrow payment: \$ 1,284.96

### Part 2: Mortgage Payment Adjustment

#### 2. Will the debtor's principal and interest payment change based on an adjustment to the interest rate on the debtor's variable-rate account?

No

Yes. Attach a copy of the rate change notice prepared in a form consistent with applicable nonbankruptcy law. If a notice is not attached, explain why: \_\_\_\_\_

Current interest rate: \_\_\_\_\_ %

New interest rate: \_\_\_\_\_ %

Current principal and interest payment: \$ \_\_\_\_\_ New principal and interest payment: \$ \_\_\_\_\_

### Part 3: Other Payment Change

#### 3. Will there be a change in the debtor's mortgage payment for a reason not listed above?

No

Yes. Attach a copy of any documents describing the basis for the change, such as a repayment plan or loan modification agreement.  
*(Court approval may be required before the payment change can take effect.)*

Reason for change: \_\_\_\_\_

Current mortgage payment: \$ \_\_\_\_\_

New mortgage payment: \$ \_\_\_\_\_

**Part 4: Sign Here**

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number.

*Check the appropriate box.*

- I am the creditor.  
 I am the creditor's authorized agent.

**I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.**

**X**/s/ **Jon J. Lieberman**

Signature

Date **02/25/2022**

Print: **Jon J. Lieberman (OH 0058394)**  
First Name Middle Name Last Name

Title **Attorney for Creditor**

Company **Sottile & Barile, Attorneys at Law**

Address **394 Wards Corner Road, Suite 180**  
Number **394** Street **Wards Corner Road**

**Loveland** **OH** **45140**  
City State ZIP Code

Contact phone **513-444-4100** Email **bankruptcy@sottileandbarile.com**

PATRICK M SOUTER  
 205 S EMMERTSEN RD  
 MOUNT PLEASANT WI 53406

Analysis Date: February 15, 2022

Final

Property Address: 205 EMMERTSEN ROAD SOUTH RACINE, WI 53406

Loan: [REDACTED]

**Annual Escrow Account Disclosure Statement  
 Account History**

This is a statement of actual activity in your escrow account from Dec 2021 to Mar 2022. Last year's anticipated activity (payments to and from your escrow account) is next to the actual activity.

Payment Information		Current:	Effective Apr 01, 2022:	Escrow Balance Calculation	
Principal & Interest Pmt:		1,412.51	1,412.51	Due Date:	Jul 01, 2020
Escrow Payment:		848.75	1,284.96	Escrow Balance:	(18,585.77)
Other Funds Payment:		0.00	0.00	Anticipated Pmts to Escrow:	17,823.75
Assistance Payment (-):		0.00	0.00	Anticipated Pmts from Escrow (-):	0.00
Reserve Acct Payment:		0.00	0.00	Anticipated Escrow Balance:	(\$762.02)
Total Payment:		\$2,261.26	\$2,697.47		

Date	Payments to Escrow		Payments From Escrow		Description	Escrow Balance	
	Anticipated	Actual	Anticipated	Actual		Required	Actual
Dec 2021		675.66			Starting Balance	0.00	0.00
					* Escrow Only Payment	0.00	675.66
Dec 2021				8,917.48	*	0.00	(8,241.82)
Dec 2021				12,890.20	* Village Tax	0.00	(21,132.02)
Jan 2022		2,546.25			*	0.00	(18,585.77)
					Anticipated Transactions	0.00	(18,585.77)
Feb 2022		16,975.00					(1,610.77)
Mar 2022		848.75					(762.02)
	\$0.00	\$21,045.66		\$0.00	\$21,807.68		

An asterisk (\*) indicates a difference from a previous estimate either in the date or the amount. If you want a further explanation, please call our toll-free number.

Last year, we anticipated that payments from your account would be made during this period equaling 0.00. Under Federal law, your lowest monthly balance should not have exceeded 0.00 or 1/6 of the anticipated payment from the account, unless your mortgage contract or State law specifies a lower amount. Your mortgage contract and State law are silent on this issue.

**Annual Escrow Account Disclosure Statement  
Projections for Coming Year**

This is an estimate of activity in your escrow account during the coming year based on payments anticipated to be made to and from your account.

<b>Date</b>	<b>Anticipated Payments</b>		<b>Description</b>	<b>Escrow Balance</b>	
	<b>To Escrow</b>	<b>From Escrow</b>		<b>Starting Balance</b>	<b>Anticipated</b>
Apr 2022	1,074.18			(762.02)	4,296.77
May 2022	1,074.18			312.16	5,370.95
Jun 2022	1,074.18			1,386.34	6,445.13
Jul 2022	1,074.18			2,460.52	7,519.31
Aug 2022	1,074.18			3,534.70	8,593.49
Sep 2022	1,074.18			4,608.88	9,667.67
Oct 2022	1,074.18			5,683.06	10,741.85
Nov 2022	1,074.18			6,757.24	11,816.03
Dec 2022	1,074.18			7,831.42	12,890.21
Jan 2023	1,074.18	12,890.20	Village Tax	(2,910.42)	2,148.37
Feb 2023	1,074.18			(1,836.24)	3,222.55
Mar 2023	1,074.18			(762.06)	4,296.73
	<hr/> <u>\$12,890.16</u>	<hr/> <u>\$12,890.20</u>			

(Please keep this statement for comparison with the actual activity in your account at the end of the escrow accounting computation year.)

Your escrow balance contains a cushion of 2,148.37. A cushion is an additional amount of funds held in your escrow balance to prevent the balance from becoming overdrawn when an increase in the disbursement amount occurs. Under Federal law, your lowest monthly balance should not exceed 2,148.37 or 1/6 of the anticipated payment from the account, unless your mortgage contract or State law specifies a lower amount. Your mortgage contract and State law are silent on this issue.

Your ending balance from the last month of the account history (escrow balance anticipated) is (762.02). Your starting balance (escrow balance required) according to this analysis should be \$4,296.77. This means you have a shortage of 5,058.79. This shortage may be collected from you over a period of 12 months or more unless the shortage is less than 1 month's deposit, in which case we have the additional option of requesting payment within 30 days. We have decided to collect it over 24 months.

We anticipate the total of your coming year bills to be 12,890.20. We divide that amount by the number of payments expected during the coming year to obtain your escrow payment.

**New Escrow Payment Calculation**

Unadjusted Escrow Payment	1,074.18
Surplus Amount:	0.00
Shortage Amount:	210.78
Rounding Adjustment Amount:	0.00
<b>Escrow Payment:</b>	<b>\$1,284.96</b>

**Paying the shortage:** If your shortage is paid in full, your new monthly payment will be \$2,486.69 (calculated by subtracting the Shortage Amount to the left and rounding, if applicable). Paying the shortage does not guarantee that your payment will remain the same, as your tax or insurance bills may have changed. If you would like to pay the shortage now, please pay the entire amount of the shortage before the effective date of your new payment. To ensure that the funds are posted to your account correctly, please notify your asset manager that you are paying the shortage.

**NOTICE OF RIGHT TO CANCEL PRIVATE MORTGAGE INSURANCE:** If you currently pay private mortgage insurance premiums, you may have the right to cancel the insurance. In most cases, you have the right to cancel private mortgage insurance if the principal balance of your loan is 80 percent or less of the current fair market appraised value of your home, and you have a good payment history on your loan. If you want to learn whether you are eligible to cancel this insurance, please contact us at 323 Fifth Street, Eureka, Ca 95501 or 800-603-0836.

\* Please note if you have autopay/EFT set up on your loan, it is your responsibility to make sure your payment amount is updated. Enclosed is the EFT form that needs to be completed. Once completed, please fax to the number listed on the EFT form or return in the self-addressed envelope.

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF WISCONSIN  
MILWAUKEE DIVISION**

IN RE:

CASE NO. 19-30573-kmp

Patrick Melvin Souter  
Hope Sharon Souter

CHAPTER 13

Debtors.

JUDGE Katherine M. Perhach

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on February 25, 2022, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system, and a true and correct copy has been served via CM/ECF or United States Mail to the following parties:

Patrick Melvin Souter, Debtor  
205 South Emmertsen Road  
Racine, WI 53406

Hope Sharon Souter, Debtor  
205 South Emmertsen Road  
Racine, WI 53406

Abraham Michelson, Debtors' Counsel  
[amichelson@michelsonlawracine.com](mailto:amichelson@michelsonlawracine.com)

Scott Lieske, Chapter 13 Trustee  
[ecf@chapter13milwaukee.com](mailto:ecf@chapter13milwaukee.com)

Office of the U.S. Trustee  
[ustpregion11.mi.ecf@usdoj.gov](mailto:ustpregion11.mi.ecf@usdoj.gov)

Respectfully submitted,

/s/ Jon Lieberman

Jon Lieberman (OH 0058394)  
Attorney for Secured Creditor  
Sottile & Barile, Attorneys at Law  
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